

JOURNALS

OF THE

Commons House of Assembly

OF

SOUTH CAROLINA

For the Four Sessions of 1693

Edited by

A. S. SALLEY, JR.

Secretary of the Historical Commission of South Carolina

Printed for

THE HISTORICAL COMMISSION OF SOUTH CAROLINA

By The State Company, Columbia, S. C.

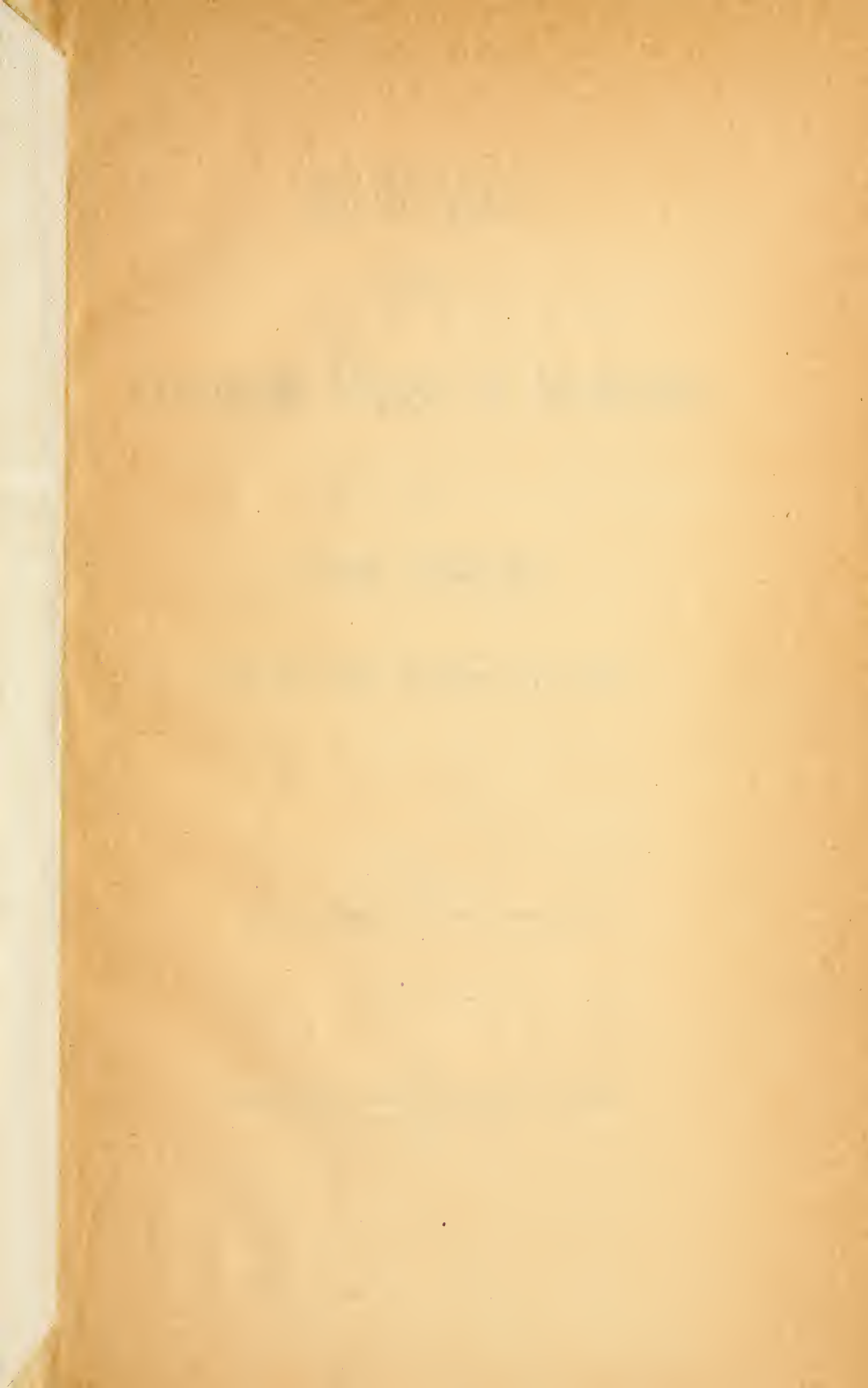
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South Carolina (Colony) Assembly.

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SESSIONS

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At A Meeteing of the Generall assembly at the house of M^r= ffrancis
ffiddling the 9th: day of January 1692 according to adjourment/

M^r: Johnathan Amory Speaker

Cap^t: James Moore

abs^t—m^r: Joseph Pendarvis

m^r: James Gilbertson

m^r: Joseph Ellicott

abs^t—maj^r Benjamin Wareing

abs^t—m^r: John Ladson

abs^t—m^r: Daniell Courtis

Alexand^r These Chastaigner Esq^r:

John Boyd Esq^r

Paull Breunau Esq^r:

Mons^r Rene Ravenell

mons^r John Gendron

mons^r Lewis De s^t Julian De Melan

Returned by ye sheriffe of
Craven County in y^e Roome of
m^r James Lebas by his Returne
dated the 17th: october 1692

abs^t—Lieut Coll Rob^t Gibbes

abs^t—Capt^t William Davis

abs^t—Doct^r James Williams

abs^t—M^r James Stanyard

M^r Ralph Izard—

abs^t—M^r John Powis—

By Consent of the memb^{rs}=M^r: Speaker adjourned the house to 8
of y^e Clock to morrow morn

10th: January in the morning

The House mett according to adjourment

Coll Rob^t Gibbes Chaireman of a Comittee of this House to meete
Thomas Smith & Paull Grimball & Joseph Blake Esq^{rs} at y^e House
of m^r ffrancis ffiddling to Consult and advise of all such things as
Tend to the firme Establishm^t of the future Governm^t of this part of
y^e P^rvince & to Consider of a Grant for Lands Reports that in pur-
suance of an ord^r of this House dated the 14th—of october Last the
said Comittee did meete y^e first day of November at the House of m^r
ffrancis ffiddling afores^d but a Coram of the upper House not meeteing
there to Joyne wth them they Could not P^rceede/

The Question is putt Whether a message shall be Sent to y^e Hon-
o^{ble}= the Govern^r & L^{ds} P^rps Deputies to Know Whether it be
their pleasure that their Comittee be Continued or that they will

appoynt an other or Desist from or proceede upon the matt^{rs} mentioned in their ord^r. Dated y^e 14th: of october 1692/

Caried in the affirmative

ordrd: that Coll Rob^t Gibbes & Cap^t. James Moore doe Carry the message above said to the Hono^{ble} the Govern^r and Deputyes/
By Consent of the memb^{rs} m^r Speaker adjourned the house to 3 a Clock in the after noone/

In the afternoone

The House mett according to adjournment/

M^r: Speaker

Wee have Considred yo^r message of this days date by Co^{ll} Robert Gibbes & Cap^t James Moore, and findeing by the Report of our Committee that by Reason of sickness nothing hath yett been perfected or Generally Concluded upon Wee Desier to know from you if your Comittee have prepared or ~~pro~~posed any thing or have had any proposialls made to them in ord^r: to the accomplishment of y^e: business of the said Committee, & what it is or any other matter of Greivances, we are willing to Receive from yo^r house as soone as may be/
Carolina January 10th: 1692/3

Signed ~~th~~ ord^r—

Paull Grimball

May it please yo^r Hono^{rs}

January the 10th: 1692/3

The Comittee appoynted by our house were ordrd to meete and Consult wth yo^r hono^{rs} Committee about y^e Rules of Govern^t and formes of Grants for Lands &c/ and not otherwise and have made Report to us that for want of appearance of a Quallified Number of yo^r house they Conceive they were not Impowred and Could not ~~pro~~ceede Wee humbly give yo^r Hono^{rs} the thanks of our house for putting us in minde of presenting our Greivances to yo^r hon^{rs} and will goe upon that buisness as soone as moore materiall buisness are Expdited or will admitt of internally And Humbly Begg yo^r Hon^{rs} to give us a Direct answeare to our ord^r or message presented to you this Morning/

Signed by m^r Speaker

M^r: Speaker by Consent of the memb^{rs} adjourned to 8 of the Clock to morrow morning/

The 11th. of January in the morning
The House mett according to adjournm^t—

Mr. Speaker/

The Difficulties that have appeared to us in the meeting of both houses and the opinion we have that if it were committed alone to your owne house to such of your number as you thinke fitt may be best pleaseing to you doth make us^e excuse those members of our house that were of the former Committee from any farther attendance on y^t. Matter and wee doe therefore propose that you will appoint a Committee of your members to consider of y^e matter conteyned in the message you now sent us by Cap^t. James Moore and M^r. John Ladson and to represent the same with such amendments and alterations as your house find reasonable unto us to be farther considered and this to be done with what expedition possibly may be

Carolina 10th. January 1692/

Signed by Order
Paull Grimball

May it please your Honn^{rs}.

Wee have reason to beleeeve your Honn^{rs}. are not Ignorant of the Intentions of the right Hon^{ble}. the L^{ds}. Propriet^{rs}: concerning the matters contained in your order and motion to our house dated October the 14th 1692 And for that reason that the advice and concurrence of a committee of your house with our comittee will the better adapt & prepare the same to and for the approbation of their Lordships And prevent such delays and disputes as otherwise may be expected to arise betweene your Hon^{rs}. House and Ours about the same which in soe weighty a matter (as in your said order not without good reason is set forth) as doth necessarily conduce to remove the feares & Jealousies of the Inhabitants and consequently to the firme establishm^t— of The peace of the Province, ought to be carefully avoided Wee therefore Humbly begg your Honn^{rs}: to assist our Committee with the advice and concurrence of soe many of your house as you thinke fitt to expedite and perfect the same.

11th. January 1692/

Ordered that M^r. Speaker Signe the above message, and that Coll. Robert Gibbs & Doctr. James Williams present the same to the Hon^{ble}. the Govern^r. & Deputies
M^r. Speaker by consent of the members adjourned the house to two of the Clock in the afternoone./

In the afternoone
 The House mett according to adjournment—
 January the 11th: 1692/3

Mr Speaker/

Wee have recd: yo^{rs} of this days date, wherein you seeme to hint that we know more of the L^{ds}- P^{rs} Intentions Concerning the matters Conteyned in o^r ord^r= & motion to yo^r house (october 14th: 1662) & for y^t Reason y^t the advise and Concurrence of a Comitte of o^r. house wth a Committee of yo^{rs} will the Better adapt & prepare y^e same to & for y^e approbation of the L^{ds} & prevent Such Delayeres and Disputes as may otherwise be Expected to arise betweene yo^{rs}. and our house and there fore, and for Removeing all feares and Jealousies and Establishing a firme peace, Desier the assistance of Some of o^r house wth: yo^r Committee to Expedite and P^{er}fect the same to all w^{ch}= we answear, first y^t wee know no more of the L^{ds}— Intentions then what has been Communicated to the whole Cuntrey in y^e Sever^{ll} Constitutions, Grants & other writeings of y^t Nature, in all which we are well Sattisfied the Lords Intented nothing more or Lesse then then a good and peaceable Settlement of all that should Come to Inhabitt this their P^{ro}vince/

2^{dly}- That Since all the Constitutions Grants &c/ Sent by y^e L^{ds} have proved unusefull to the Ends P^{ro}posed & y^t we might as farr as in us Lay putt an End to all feares Jealousies and Distractions and Lay as firme a foundation as we Could for a future settlement, we P^{ro}posed to yo^r house the method Expressed in the above said ord^r: which by Reason of the Sickness of our memb^{rs} hath allsoe hitherto P^{ro}ved Ineffectuall, and therefore to prevent any further Causalties, or delayes in a matter of Soe great importance and as the most Expedious and Satisfactory, we made o^r: Last P^{ro}posalls to you since it being not to be thought that Either house will Soe binde up themselves to the Committee as to be intierly Concluded by them, but only to Draw up a Report to both houses for a further Consideracon, and therefore we are of oppinion it matt^{rs}— not much by which house it were done soe it were done= but thinking it most sattisfatory to be done by yo^r- Comittey was y^e only Reason we putt it the^{re}= and are still of the oppinion we putt it the best and nearest way & Desier you will P^{ro}ceede in it but if not we Desier to know whether you designe a further time for P^{ro}secuting it after this session or to P^{ro}ceede presently Duering the Sitting of itt

Phillipp Ludwell

The Question is putt whether a Committee of this house to Consid^r—

of Rules of Govern^t & forme of Grants for Lands shall be appoynted or not— Carried in the affirmative/

ordrd: that Co^{ll} Rob^t Gibbes Capt James Moore m^r Ralph Izard m^r Joseph Pendarvis m^r Daniell Curtis m^r- John Ladson and m^r John Boyd or any three of them be a Comittee of this house to Draw up and ~~Propose~~ Rules of Government and formes of Grants of Lands to be Established and y^e Same present to the Consideration of this house the second Tuesday in March/

ordrd that m^r Speaker be p^rsent at the meetings of y^e above Comittee and Give his advise and assistance to them—

Jan^{ry}=11th: 1692/

M^r Speaker/

Wee have Lately understood y^t yo^r house have Recd a new memb^r: y^t was not Returned by y^e Sheriffe of Craven County att the day that he was obliged to make his returne= by his writt, which we Conceive may be irregular for that noe new Ellection or Returne ought to have beene in this Case but by a writt from y^e Crowne and y^t the buissness of yo^r house as well as y^e whole assembly may not be vitiated thereby we: Desier to know by what president you did it and if it Should appeare that you^r new memb^r—is well Quallified he ought to sweare or subscribe allegiance to King William and Queene Mary before he act=

Signed by ord^r=

Paull Grimball

The Question is putt whether a Comittee of this house shall be appoynted to draw up answear to y^e message of y^e upper house of this date Conserving the mending of y^e Returne of the Sheriffe of Craven County, or not

Carried in y^e affirmative.

Ordrd= that Capt James Moore m^r Ralph Izard Doct^r- James Williams & m^r John Boyd or any three of them be a Comittee to draw up the s^d answear and p^rsent the same to this house to morrow morning.

M^r Speaker by Consent of the memb^{rs}— adjourned—

The House adjourn^d to 8 of the Clock to morrow morning/

Thursday morn^g 12th. Jan^{ry}. 1692

The House mett according to adjournment/

ordrd=that Capt James Moore & m^r Ralph Izard be sent to the

upper house to give Reasons and Precedents for our admittance of m^r St Julian Demelan a memb^r— of this House in the roome of m^r Leboss Returned but not Quallified in answear to their message Conserning that matter Dated 11th. Jan^{ry} 1692/

The Question is putt whether a Comittee Shall be appoynted to draw up an addresse to the Hono^{ble}— the Govern^r & L^{ds} ¶p^{rs} Deputyes for a Generall act of Indemnity and A Confirmation of Judiciall ¶ceedings or nott/

Carried in the affirmative/

ordrd that Cap^t James Moore Draw up the above addresse and p^rsent the same to the house in the afternoone

M^r: Speaker by Consent of the memb^{rs}— adjour^d y^e house to: 2: of the Clock in the afternoone

In y^e: afternoone/

The House mett according to adjournm^t—

Jan^{ry} 12th: 1692/

Ordrd— That the R^t Hono^{ble}— y^e Govern^r be Desired to admmister the following forme of an oath to the sheriffe of Berkley County and none other in pursuance of an act of assembly Intitled an act to ¶vide Indifferent Jury men in all Causes Civill and Criminall & y^t his honor will be pleased to und^rwrite his assent thereto to be Recorded wth the said forme in our house/

You shall Swear y^t you will as far as you you may or Cann Either by yo^r owne Knowledge or Information follow observe and keepe the rules & methods maner and way of Chouseing Jurymen for Each Court to be holden in this ¶vince as often as precepts for that purpose shall be to you Directed according to the True Intent and meaning of an act of assembly Entitled an act to ¶vide Indifferent Jury men in all Causes Civill and Criminall Soe helpe you God

Jan^{ry} 12th: 1692

This day y^e above written oath was assented to by the Governo^r & Deputyes & Rob^t Gibbes Esq^r high sheriffe of Berkley County was sworne accordingly By me Phill Ludwell—

By Consent of the memb^{rs}. m^r Speaker adjourned y^e house to 8 of the Clock to morrow morning/

January the 13th: in Fryday the morning=

The House mett according to adjournm^t:/

The Humble addresse of the Comons now assembled To the R^t: Hono^{ble}— Phillipp Ludwell Generall of the forces and Govern^r— of

the Province of Carolina and to the Honorable, the L^{ds} = App^{rs}. Deputy^s = May it please yo^r Honor^s =

Wee the Comons now assembled after Serious & mature Considerations of the most expeditious Easie and Certaine methods of establishing Secureing & Continueing this Govern^t = and the people therein in peace & Ease Doe observe and Conclude that nothing without an act of Indemnity and oblivion & A Confirmation of Judiciall Proceedings in the Late Govern^t Cann Conduce/ to the settlem^t and Satisfaction thereof Doe Humbly move yo^r Honor^s = to Consider of such an act or acts & y^e same To Send downe/ to our house for approbation in ord^r to itt^s Speedey Ratification and we are the more Encouraged to address yo^r Honor^s = for the same Because we have Reasons to believe the Rt: Honorable = the L^{ds} = App^{rs} = have out of their Evident Care and Great prudence Given Instructions & power to pass Such an act or acts which when done/ will Restore the Govern^t: to itt^s former Influence and the People To peace Ease and Industrey and yo^r Honor^s to the not Immeritted of this house and all y^e Inhabittants of this Province/

The Question is putt whether the words (because we have Reasons to believe the Honorable = y^e L^{ds} App^{rs} have out of their Evident Care and Great prudence/ Given Instructions & power to pass Such an act or acts/ shall be Enacted in y^e addresse to y^e Honorable = y^e Govern^r and Deputyes or not/

Carried in the affirmative

ordrd y^t m^r Speaker Signe the above address and that Capt William Davis, & m^r John Boyd doe p^rsent y^e Same to y^e Honorable = the Govern^r & L^{ds} App^{rs} Deputyes/

Resolved that m^r St Julian De melan is Duly Ellected and Returne to Sett as a memb^r of this house, for Craven County

ffor Prevention of y^e Losse of time in a Long debate wee doe Allow of this for y^e Present but not to be presidentiall for the future and desire it may be soe entred on your Journall as it is on ours. Signed by order

Paull Grimball

A message from the upper house by m^r W^m = Williams Provost Marshall Desiring m^r Speaker and y^e house to attend them/ m^r Speaker and the House attended the upper house and y^e Honorable the govern^r & L^{ds} = App^{rs} Deputyes were pleased to Informe the house as followeth

1th: That Some Spanish Indians was Coming to y^e Nation of y^e:

yamases Indians to Trade wth them for Corne & peas & y^t the cheiffe menn sent for advise whether they should Trade wth them or not/
 2^{dly} That they were Informed that Some Northerne Indians were Come to Settle amongst Taskegus and y^t they give an account that Some Northerne Indians Intend next Somer to settle among the Cowataws and Cussetaws/

3^{dly}= That the Savana Indians had beene at one of the Charrekeys Townes and meeteing onely wth= y^e old men there: (the young men being absent) killed them and Carryed away the women and Children and Sold Some of them for Slaves to the English Trad^{rs} who had brought them to this Settlem^t and Sold them for slaves/

An act to prevent the Stealeing and takeing AWay of Boats and Cannows Read the third Time and past into a Law/

An Act to make Currant Establish and Settle y^e weight of fforraigne Coyne Read the third Time and past into a Law

An act for making and mending High Ways and Paths & for Cutting of Creekes and watter Courses/ Read the third Time and past into a Law/

Ordrd= That Capt James Moore m^r John Boyd= Doc^{tr}: James Williams= m^r: Daniell Curtise and m^r John Ladson be a Comittee to Draw an answeare and the advise of this house to the Hono^{ble}= y^e Govern^r and Dep^{ties}= proposialls of this day Relateing to y^e Indians and p^rsent y^e same to this house to morrow morning

By Consent of y^e memb^{rs}= m^r= Speaker adjourned the House To 4 of y^e Clock in y^e afternoone—

In the afternoone

The House mett according to Adjournment

M^r. Speaker by consent of y^e members adjourned the house till to morrow morning 8 of the Clock.

Saturday January 14th. 1692/3 in the morning

The House mett according to adjournment—

May it Please yo^r Hono^{rs}

Janry y^e 14th: 1692/

Wee humbly Conceive, and it is our advice, that noe Indians whatsoever which Live Neare, or owne obedience to y^e Spaniards, ought to be admitted to any Trade or Comunication wth our freindley & neighbouring Indians w^{thout} the ffor knowledge & Especiall Licence of the Govern^t= And then not to be Admitted but, for Weighty reasons with Respect and for sight to the advantage neighbouring Enimie (when they Either publickly profess them selves such or

privately Designe us a mischeife) may make of their knowledge of our Strength maner of Inhabitting & Interest wth our neighbouring Indians. And that all possible meanes be used to prevent the settlem^t of of Any Northerne Nation of Indians amongst our friends more Especially of y^e Rikohogo's or Westos a people which formerly (when well used) made an attempt to Distroy us, and which because they Lost Severall of their Best men in the Repulse We may Expect will take the first opportunity offerd with wth advantage to take Revenge/ And all oppertunities to move and associate to themselves our ffreindly Indians to warr upon us= And the Mawhawkes are a numerous, warlike nation of Indians, and strictly aleyd to the Westos and have formerly Distroyed Severall English Inhabittants of New England. And must necessarily make warr upon the Savannas to make way for a Trade wth us and Consequently force us to Suffer Suffer for our friends to be Cutt off or Engage us in a Certaine warr, which before all things ought to be Industiously avoided. And we Cannot und^rstand that Ever the Savannos were obliged by o^r Govern^t not to warr upon y^e: Cheraques their Long before enimies, nor Cann finde Any good preceedents for makeing Laws ordinances or ord^{rs}= to Looke backwards. Butt will prepare a Bill for yo^r Hono^{rs} assent to prevent all such mischeifes as may arrise by the Quarrells of our friendly Indians.

Ordrd= that m^r Speaker Signe y^e above answear and advise to y^e: Hono^{ble}: y^e Govern^r & L^{ds}= ¶p^{rs} Deputyes and y^t Capt James Moore & m^r John Ladson present y^e same to them

The Question is putt whether an humble addresse that noe ¶secutions or further ¶ceedings be admitted of in any Court whatsoever for any matter or thing Criminall or Civill done in the Late Govern^t Shall be made to y^e Hono^{ble}= the Govern^r and L^{ds} ¶p^{rs} Deputyes or not

Carried in the affirmative that an address
be made/

Upon the Comons p^rsenting an addresse to this house for an act of Indemnity & oblivion & a Confirmation of y^e Judiciall proceedings of the Late Govern^t & whereas there hath formerly been presented to the Comons from this house a bill of Indemnity which being Rejected was afterwards sent back wth: Expedients and which was likewise Rejected by the Commons as appeares by the votes of their house/ The Question is putt whether there shall be any bill of Indemnity

sent to the Comons for their passing, untill the Case hath been stated to the L^{ds}; and their Lordships pleasure be knowne in that affaire

Jan^{ry} 13th: 1692

Carried in the negative

Signed Φ ord^r }

Paul Grimball }

Jan^{ry}: 14th: 1692

The Humble addresse of the Comons now assembled to y^e Honob^{le}: the Govern^r and Lords Φ p^{rs} Deputyes/

May it please yo^r Hono^{rs}

Wee the Comons now assembled By yo^r Hono^{rs} Returne of this date to our address for an act of Indemnity &c/. Conceive y^t yo^r hono^{rs} Intend and we Doe humbly move yo^r: hono^{rs} y^t it may be soe that all Φ ccess Suites and Φ ceedings ag^t all Φ sons whatsoever begun or to be begunn in any Court wh^t Soever for any matter or thing Civill or Criminall done or Comitted in y^e. Late Govern^t which are or may be pretended to be illegall for want of a sufficient power in y^e. Late Government= or otherwise may be prevented & prohibited Till their Lordships pleasure be knowne/ Concerning y^e same ffor Wee Conceive that wthout Such Φ hibition it will be to noe purpose to represent the Same to their Lordships nor Leave Roome for the Execution of their Lordships ord^r= thereabout— nor any way avayle/ to the Removeing the ffeares and Jealousies of the people/ or the peace of the Govern^t, Therefore/ Wee humbly address yo^r hono^{rs}— to Consider of the most Speedy way (which we Conceive may be by a bill of this house) to putt a Stopp to all such Φ ccess and Φ ceedings till their Lordships pleasure be knowne therein as by the Vote of yo^r house this day to us Sent downe is Concluded/

Ordrd= that m^r Speaker Signe the above address and y^t Cap^t James Moore & m^r Ralph Izard present the same to y^e Govern^r and Deputyes/

Ordrd= that Cap^t James Moore m^r John Ladson m^r John Boyd m^r Ralph Izard & Doct^r James Williams be a Comitte to Consider of agreivances to be p^rsented to this house on wednesday morning next/

Resolved Nemine contradicente y^t y^e: majority of seaven memb^{rs}= of this house or any number above may from time to time adjourne y^e house Φ vided the speaker be one/ but for doeing any thing Else no Less then y^e majority of the whole House/: shall have power M^r Speaker by Consent of y^e memb^{rs} adjourned y^e house to 2 of the Clock in y^e afternoone/

In the afternoone

The House mett according to adjournment/
ordrd: that m^r Speaker p^rsent to the Hono^{ble}: the govern^r & Deputyes the Two acts following for Ratification
(Vizt) An act to make Currant & Establish & Settle the Waights of forraigne Coyne/
an act for makeing and mending high ways & paths and for Cutting of Creekes & watter Courses.

The foregoeing acts Ratified this 14th day of January by the R^t Hono^{ble}: Phillipp Ludwell Govern^r and the Deputyes following/

Thomas Smith (¶)	} Richard Conant (¶)	
Stephen Bull—(¶)		Joseph Blake (¶)
Paul Grimball (¶)		_____

An Bill for y^e better ordering of slaves and ¶hibitting y^e Importation of such slaves as have been Conserved in any plott in Barbados Comitted to m^r Daniell Curtise Doc^{tr}: James Williams & m^r James Gilbertson to be brought in to this house on Tuesday next:

A Bill to Regulate Publick houses and to ascertain the prices of Liquors sold in them Comitted to Cap^t. James Moore to be brought into this house on Tuesday next/

A Bill: for makeing and keeping in Repaire Sufficient ffences Comitted to Co^{ll} Rob^t Gibbes To be brought into this house on Tuesday next

A Bill for Building a watch house and maintaineing a watch upon Sullivan's Island Comitted To Cap^t James More to brought into this house on Tuesday next

A Bill for ascertaineing the markes of Cattle & hoggs & To prevent hunting them wth: doggs/ Comitted to m^r John Ladson and m^r Joseph Pendarvis to be brought into this house on Tuesday next
m^r Speaker by Consent of the memb^{rs} adjourned the house to 1 of the Clock on munday Next—

Munday the 16th: Jan^{ry} 1692

The House mett according to adjournm^t—

By Cons^{ent} of the memb^{rs} m^r Speaker adjourned the house to 8 of the Clock to morrow morning

Tuesday the 17th: Jan^{ry} 1692 in the morning

The House mett according to adjournm^t—

Jan^{ry}: 16th: 1692/3

Mr. Speaker/

Upon due Consideration of yo^r addresse of the 14th: Inst= wee

Continue of the same opinion we were of when we sent you our
 resolve in o^r Vote of the Same 14th Relateing to the bill of Indemnity
 & Expedient— and do not now thinke fitt to Entertaine any thoughts
 of passing a bill & Expedients we soe Generously offered Last meet-
 ing and by yo^r house Rejected

Signed by ord^r
 Paull Grimball

Upon the Motion of m^r John Ladson and m^r James Gilbertson
 The Question is putt whether the house shall adjourne till y^e: after-
 noone or for a farther time/

Carried for adjourning to a farther time/

A Message from the Upper house by m^r W^m= Williams Provost
 Marshall Desiring m^r Speaker and y^e house to attend them/
 By Consent of the memb^{rs} m^r Speaker adjourned the house to 8 of
 the Clock to morrow morning/

Wednesday morning 18th: Jan^{ry} 1692/3

The House mett according to adjournem^t/

The Quest is putt whether the Refusall of an act of Indemnity
 and Confirmation of Judiciall Proceedings in y^e Late Govern^t and
 denyall to stopp proceedings Concerning the Same till their L^dships
 pleasure be knowne about the same notwthstanding their Lordships
 Deputyes have thought fitt to Represent y^e Same/: Shall be pre-
 sented as a Greivance or not/

ffor y^e affirmative
 Cap^t James Moore
 m^r Ralph Izard
 m^r John Boyd
 m^r John Gendron
 m^r Joseph Pendarvis
 m^r Rene Ravenell
 m^r Lewis D^e St Julian
 m^r Paull Breunau

ffor the Negative/
 Co^{ll} Rob^t Gibbes
 m^r James Gilbertson
 Doct^r James Williams
 m^r Joseph Ellicott
 m^r Daniell Courtise

The Question is putt whether the Comittes reports of Greivances
 shall pas as Such by the house and be p^rsented to the Honob^{le} y^e
 Governo^r and L^{ds}= App^{rs} Deputyes or nott

Caryed in y^e affirmative/

To: the Rt^o Honob^{le} the Govern^r & Lords App^{rs} Deputyes—

Jan^{ry} 18th. 1692/3

May it Please yo^r Honor^{rs}

As Well to App^rforme the trust Lodg'd in us by y^e people whose Repre-

sentatives we are now Assembled As in obedience to yo^r Hono^{rs} pleasures signified to ou^r house in yo^r = Returne of the 10th: Instant to our message of that date Wee humbly p^rsent to yo^r Hono^{rs} = the following Greivances hoping yo^r Hono^{rs} will Gratiouly Redresse as many of them as by yo^r powers from their Lordships you are authorized to doe And favourably Represent the Rest to their Lordships on our Behalfe for their speedy Removall or amendment ffor by yo^r harty Concurrence/ wth us in Reporting y^e Same we doubt not of such Success as will make yo^r Hono^{rs} and the Inhabitants of this province happy/

1th = That y^e. Rt Hon^{ble}: y^e L^{ds} = ~~Th~~p^{rs} have not all agreed to the Same forme for Conveyance of Land And y^e Latest forme agreed to by some of them, not Satisfactory to y^e people—

2^{dly}. That y^e Lord^s Receiver of Rents hath not been Comissioned by them all nor any agreement of their whole number Come yett to our knowledge to authorize any Less Number to Comission a Receiver/

3^{ly}— That y^e office of Sheriffe and Judge of the Court of pleas are Lodged & Continued in one & y^e same ~~Th~~son

4^{ly} That although the power of Erecting Co^rts = be in their Lor^dships yett those Courts ought to be bounded and Regulated by Laws made by the assent of the people/

5^{ly} That Publick officers takeing much greater ffees then are allowed by act of parliam^t in England for the same And like things before the same be settled by act of assembly here/

6^{thly} That ye Representatives or Delegates of the people are to few in assembly And that the people doe not appoynt the number of their Delegates according to the Kings most Gratiouus Charter.

7^{thly} That their Lordships hold two Pallatines Courts and y^t y^e one makes voyd what y^e other Enacts as of Late Severall acts of assembly have been Repealed by one which have been Ratified by y^e other and that before they became voyd by Limitation in themselves And that their Lordships Deputyes are not fully enough Impowred to give their/ assent wth the people to Enact Such Laws and for Such time as y^e want of which may hazard the Loss of this their Countrey

8^{thly} That y^e Pallatines Court here doe assume to putt in force Such English Laws as they Judge are addapted to this ~~Th~~vince which we Conceive are all soe by their owne force or not to be made Soe/ but by act of assembly

9^{thly} Inferio^r Courts takeing upon them to try adjudge & Determine the power of assembly for y^e Validity of acts made by them or of such matters and things as are acted by o^r Relateing to y^e House of

Commons all which we humbly Conceive is only inquireable into and Determinable by y^e Next Succeeding Generall assembly/

10^{thly} The Setting upp of Martiall Law (Except in cases of Rebellion Tumult Sedition or Invasion we Conceive is not warranted by the Kings Charter/

11^{thly}— The takeing of Bonds or writeings obligatory w^{thout} or n^{ott} according to Law

12^{ly}/ The Want of a Competent number of Comons to Represent them in Councill/

13^{thly}. The Refusiall of an act of Indemnity and confirmation of Judiciall Proceedings in y^e Late Govern^t And denial to stopp Proceedings Concerning the same till their Lordshipps Pleasure be Knowne/ about the Same Notwthstanding their Lordshipps Deputyes have thought fitt to represent the Same—

Ord^d— that the Committee to draw up & Propose Rules of Govern^t and formes of Grants for Lands to be Established Doe bring in a bill for ascertaining the prices of Comodityes for payment of Rents and Doe allsoe draw upp an humble address to the R^t— Hon^{or}be— the Lords Prop^{rs} to Remitt y^e arreares of Rents and p^{rsent} the Same to this house the Second Tuesday in march next/

Mr Speaker by Consent of the memb^{rs} adjourned y^e house to the Second Tuesday in March next/

March y^e: 14th: 1692/3

The House mett according to adjourn^t

p^rsent }
Mr Speaker—

Absent

Major Ben Wareing

Mr Joseph Pendarvis

Mr John Ladson

Mr Ralph Izard

Mr James Stanyard

John Boyd Esq^r

Mons^r John Gendrone

Lewis De s^t. Julian Demelan

Cap^t James Moore

Mr: Joseph Ellicott

Mr. Daniell Courtise

Mr James Gilbertson

Leiut Co^{ll} Rob^t Gibbes

Cap^t: W^m: Davis—

Mr John Powis

Alexand^r These Chastaigner Esq^r

Paull Breanaw Esq^r.—

Mons^r Rene Ravenell

Dr: James Williams

By Consent of the memb^{rs} m^r Speaker adjourned the house to Eight
of y^e Clock to morrow morning

March the 15th: 1692/3 in the Morn:

The House mett: according To adjourn^t:—

M^r: Speaker by Consent of the Memb^{rs} adjourned the house till 7
of the Clock to morrow morn

March the 16th. 1692 in y^e morning

The House mett according to adjournment,

M^r. Speaker by Consent of y^e members adjourned the house to two
of y^e Clock in the afternoone: /

In the after noone

The House mett according to adjourn^t—

M^r Speaker by Consent of the Memb^{rs} adjourned the House To the
Eighth day of may next:

May the 8th. 1693/

The House mett according to adjournment

Present	Absent
Mr. Speaker	Mr. Daniell Curtis
Cap ^t . James Moore	Mr. James Gilbertson
Maj ^r . Benjamin Waring	Mr. John Powys
Mr. Joseph Pendarvis	Mr. William Davis
Mr. Ralph Izard	Mr. Alexander These Chastaigner
Doct ^r . James Williams	Mr. Paul Breaunau
Mr. John Ladson	Mr. Rene Ravenell
Mr. Joseph Ellicott	Mr. John Boyd
Coll ^l . Robert Gibbs	Mr. John Gendrone
	Mr. Lewis De s ^t . Julian demelan
	Mr. James Stanyarne

Mr— Speaker by Consent of the Members adjourned the House to Tenn a Clock on Tuesday morning next

Thursday in the Morning the 11th: of

May The House mett according to Adjourn^t.

And there was p^rsent Mr Speaker

	Absent
Cap ^t James Moore	Mr Daniell Courtis
Maj ^r Benja Wareing	Mr James Gilbertson
Mr Joseph Pendarvis	Mr John Powis
Doct ^r James Williams	Mr Alexand ^r These Chastaigner
Col ^l Robert Gibbes	Mr Paull Breaunaw
Cap ^t . William Davis	Mr Rene Ravenell
Mr James Stanyarne	Mr John Boyd
	Mr John Gendrone
	Mr Lewis De s ^t Julian demelan
	Mr John Ladson
	Mr Joseph Ellicott
	Mr Ralph Izard

Mr Speaker by Consent of the memb^{rs} adjourned the house to Two of the Clock in the afternoone/

In the afternoone/ The House Mett according to Adjourn^t: And p^rsent as Above mentioned=

Mr. Speaker by Consent of the members adjourned the house to Eight of the Clock to morrow morning

ffryday in the Morning 12th May
The house mett according to adjourn^t:

And p ^r sent M ^r Speaker	}	M ^r James Stanyarne	}
Cap ^t James Moore			
Maj ^r Benj Wareing			
Doct ^r James Williams			
Co ^{ll} Rob ^t Gibbes			
Cap ^t William Davis			
M ^r James Gilbertson			
M ^r Daniell Courtice			

By Consent of the memb^{rs} m^r Speaker adjourn^d. the house to one of the clock on monday next in the after noone/

Munday in the afternoone the 15th: May 1693
The house mett according to adjourn^t==

p ^r sent M ^r Speaker	}
Cap ^t James Moore	
Co ^{ll} Rob ^t Gibbes	
Doct ^r James Williams	
m ^r Ralph Izard	
Cap ^t William Davis	
Maj ^r Benjamin Wareing	
M ^r Joseph Pendarvis	

By Consent of the Memb^{rs} adjourned the house 6 of the Clock this Evening — — —

In the Evening The House mett according to adjourn^t and p^rsent M^r Speaker : and

Cap ^t James Moore	}	Maj ^r Benjamin Wareing	}
Co ^{ll} Rob ^t Gibbes		M ^r : James Gilbertson	
Doct ^r James Williams		M ^r : Joseph Ellicott	
M ^r Ralph Izard		M ^r . Daniell Courtise	
Cap ^t William Davis		M ^r . James Stanyarne—	

M^r Speaker & you Gentm: of the Assembly/

Being in the Station I now am I thinke it Convenient by y^e advice of the Councill to acquaint you y^t by meanes of an avocation y^t cannot be avoyded I must be for some weekes absent from this Towne/ but that I may comply wth: the publique necessity as much as possible and y^t due care for the Safety of the Country may be taken I shall rather adventure a p^{er}sonall Resqer for one weeke Longer than

y^t the publike should receive any damage for want of yo^r: Consultations Gentm. I thanke God I have reason to hope y^t many things which formerly were obstructions to the dispatch of Publike affaires in the way of Parliam^{ts} or Assemblys: are removed the Lord ~~pp~~^{rs} having Consented that the ~~pp~~^{ose}ing power for the making of laws which was heretofore lodged in the Grand Councill only is now given to you, as well as to the present Councill, a priviledge by you Esteemed great, although their Lordships beleived it to be better Secured to you by having yo^r Representatives in the said Councill But if you are better pleased as it is their Lordships are as well Contented, Some other discontents there were well knowne to you which are allsoe removed and if there be any doe yett remaine I desier you to make calme and rationall proposalls for the removeing of them allsoe, and what this house can thinke (on Serious Debate) shall be for the safety of the Country and you all will reddily be Contented to, if in their power, But if it shall happen that we are deficent of that power o^r selves we shall wth: the first Conveniency presse their Lordships for a speedy Compliance to all good proposalls wth the best arguments and Utmost Earnestnes and Dilligence, that all o^r=breaches may be healed and the long desired Settlement of this Country upon rationall foundations may be happily accomplished/

I shall not (Gentlemen) Decend to any particulars relateing to y^e bills now before you or und^r yo^r Consideration yo^r owne prudence and the care you have for the well fare of us all will be a sufficient Inducement for yo^r speedy dispatch and a happy conclusion of this present Meeteing/

May 15th 1693/

Thomas Smith

Ordrd: that Cap^t James Moore and m^r Ralph Izard doe prepare a Generall answ^r to the Hon^{ble} the Govern^{rs} Speech and returne the Same to this house in the morning/

M^r Speaker by Consent of the Memb^{rs} adjourned the house to 7 of the Clock to morrow Morning/

Tuesday morning the 16th: May 1693/

The House mett according to adjourm^t: and p^rsent

Capt James Moore	}	M ^r Speaker
M ^r Ralph Izard		M ^r Joseph Pendarvis
Maj ^r Benj Wareing		Doct ^r James Williams
Co ^{ll} Robt Gibbes		M ^r Joseph Ellicott
Cap ^t william Davis		M ^r : James Stanyarne
M ^r John Ladson		M ^r Daniell Courtise
		M ^r James Gilbertson—

The Answer & humble thanks of the Comons assembled: to the R^t Hon^{ble} Thomas Smith Esq^r Ldgrave and Govern^r: for his Gracious Speech in Parliam^t/

That yo^r Hono^r at this time is pleased to prefer the publike Safety to yo^r Personall health for we hope nothing Else can be meant by Risque/ is Answerable to y^t opinion this house hath allways had of yo^r Hono^{rs} Inclinations and Like a patriott of his Countrey/ Wee humbly Conceive that a proposeing power for makeing of Laws in the Comons Generally as well as Representatives in councill can be no Lessening or prejudice to their Lordshipps rights prorogatives or Interests whilst they have a negative upon all Laws ordinances and ord^{rs} of Parliam^t and Councill/ Wee humbly Give yo^r: Hono^r the thanks of this house for yo^r Gracious Condescensions to and Compliance wth: us to Enact Such Laws as may best Conduce to the Safety and peaceable settlem^t of this Collony and to remove all such obstructions as have given occasion of delays heretofore and will make Ready wth Expedition Such Laws for yo^r Hono^{rs} Con Currance and make knowne Such Letts as the removall thereof will make yo^r Hon^{rs}: and us safe and Easie ffor please to Know that nothing but extrordinary things can ans^w those great Expectations and assurances: Every one Seene to have of yo^r Hono^{rs} Intendments to the Publike Good:

ordrd y^t m^r Speaker Signe the above ans^w & thanks of the Comons

An Act for the Better Settling and Regulateing of the Militia: Read the Third Time and past into a Law

An Act for the ascertaining the Gauge of Barrells & for avoyding Deceits in Selling and Buying Beefe and porke/

Read the Third Time and past into a Law—

By Consent of the Memb^{rs} M^r Speaker adjourned the house to 2 of the Clock in y^e after noone/

2 of y^e Clock in the afternoone

The House Met according to adjournem^t.—

A bill for regulateing Publick Houses and to ascertaine the prizes of Licquours, read the first time and pass'd with amendments.

M^r. Speaker adjourned the House to seven of y^e Clock to morrow morning

Wensday morning y^e 17th. May 1693/

The House met according to adjournement—

A bill for Regulateing Publick houses and to ascertaine the prizes of Licquours read the second time & past—

An act for the better securing the payments of Debts due from any Person inhabiting and Resideing beyond sea, or elce where within the Limitts of this part of the Province read the third time and past into a Law./

Mr. Speaker by Consent of the members adjourned the house to One of the Clock in the after noone./

In the afternoone a wenesday

The house mett according to adjournm^t:

A bill to Provide Indifferent Jurymen in all causes civill & Criminall read the first time and pass'd with amendments.

A Bill for settleing and Continueing a watch in Charles Towne, and to clear the same from underwood, read the first time and pass'd with amendments./

Mr. Speaker by Consent of the members adjourned the House to seven of y^e Clock to morrow morning

Thursday morning the 18th of may 1693/

The house mett according to adjournm^t:

A bill to provide Indifferent Jury men in all Causes Civill & Criminall read the second time and pass'd.

Mr. Speaker by Consent of the members adjourned the House to Two of y^e Clock in the afternoone

In The after noone The House mett according to adjournm^t

An Act to Prevent the Stealeing and takeing away of boats and Canoes Read the third time and past into a Law

An Act for Raiseing money for the Severall loses wth=in mentioned Read the first Time and past wth= amendments

An act for Settling and Continueing a Watch in Charles Towne and to Cleare the Same from und^rwood past the Second time

By Consent of the memb^{rs}. Mr Speaker adjourned the house to 7 of the Clock in the Morning

fryday morning the 19th: May 1693/

The House mett according to adjournm^t — — —

The Question is putt whether in the Jury act Every Jury man at first shall be drawne by ballott Singly in a paper or by twelves Caried that they be drawne singly in a paper=

. An act for Raiseing money for the Severall Uses wth=in Mencond Read the Second time and past/

An act for Regulateing Publique Houses and to Ascertaine the

prices of Liquor^s Read the Third time and past into a Law/
m^r. Speaker by Consent of the memb^{rs} adjourned the house to one
of the Clock

ffryday in the afternoone

The House met according to adjournement—

M^r. Speaker by Consent of the Members adjourned the house to
Seven a Clock to morrow morning

Saturday morning the 20th. of May 1693

The House mett according to adjournement—

present M^r. Speaker

Mr. Ralph Izard	Mr Joseph Ellicot
Maj ^r . Benja. Waring	M ^r . James Stanyarne
Coll ^l . Robert Gibbs	M ^r . Daniell Curtis
Capt ^t . William Davis	M ^r . James Gilbertson
M ^r . John Ladson	M ^r . Alexander These Chastaigner Esq
M ^r . Joseph Pendarvis	Paul Breunau Esq
Doct ^r . James Williams	M ^r . Lewis De St. Julian De Melar

An act for raising money for the Severall uses within mentioned
read the third time and pass'd into a Law./

Ordered that m^r. Joseph Pendarvis doe Examine the accounts of m^r.
William Bradley of what Powder or money in Lew thereof, he
hath received and Expended and report the same to this house at
their next meeting

Ordered that M^r. Speaker doe assist M^r. Pendarvis in Examining
the above accounts—

An Act ffor ascertaining Publique officers ffees

Read the third time and past into a Law—

An act for Settling and Continueing A Watch in Charles Towne
and to cleare the Same from und^rwood

Read the Third time and past into a Law/

Orderd that m^r Speaker present to the Hon^{ble}== the Governo^r &
Deputies the nine acts following for their Ratification

- 1 (vizt) An act for the Entry of Vessells
- 2 An act for y^e better Settling and Regulateing of y^e Millitia
- 3 An act for y^e ascertaineing y^e Gauge of Berrells & for avoyding
of Deceipts in Selling and buying Beeffe & Porke
- 4 An act to prevent the Stealeing & takeing away of Boats & Canoes
- 5 An act for the Better Secureing the paym^t of Deb^{ts}: due from
any p^{erson} Inhabitting and Resideing beyond seas or Else where
wthin the Limitts of this part of y^e province

6 An act for Regulateing Publick Houses and to ascertaine the prices of Liqors

7 An Act for Raiseing money for the Severall uses wth=in Menconed

8 An Act for Settling and Continueing a Watch in Charles Town and Clear the Same from und^rwood

9 An act ffor ascertaineing Publick officers ffees

Eight of the foregoeing acts Ratified this 20th day of May by the R^t Hono^{ble}= Thomas Smith Governo^r: and the Deputies following/

The act to prevent the Stealing of Boats and Canoes was presented to the uper house and being read but once there it was Referred to the Next Meeteing

Joseph Blake	}	Richard Conant
William Smith		John Coming
Paull Grimball		Stephen Bull

A Bill for the better ordering of slaves and the amendm^{ts} of the Habeas Corpus Act Comitted to Cap^t James Moore & M^r Ralph Izard

A Bill for makeing and Keepeing in Repaire Sufficent fences and a Bill for Wharfeing in y^e Banke at Charles Towne/ Comitted to Coll Rob^t Gibbes/

M^r. Speaker by Consent of the Memb^{rs} Adjourned the house to the 12th day of Septembr Next./

Septemb^r the 12th: in the foorenoone

The House mett according to Adjournm^t:

<p>{ Present m^r Speaker Capt. James Moore major Benj: Wareing abst^t: m^r Joseph Pendarvis m^r Ralph Izard abst^t:</p>	<p>{ Coll Rob^t Gibbes Doct^r James Williams abst^t m^r John Ladson abst^t: m^r Joseph Ellicott abst^t: m^r Daniell Courtise m^r James Gilbertson abst^t:</p>
<p>Cap^t. William Davis abst^t: m^r Alexand^r These Chaistaigner^r m^r Paull Breauneau m^r Rene Ravenell m^r John Boyd m^r James Stanyarne — —</p>	<p>{ m^r John Gendron m^r Lewis De St Julian Demelan</p>

Septemb^r: 12th: 1693//

M^r Speaker & Genttm—

I haveing by the Advice of the Councill Sumond all y^e neighbouring Indians to Receive Some Comands from y^e Councill relateing to Runaway slaves, am Willing to Dismiss them assoone as Conveniently may be but thinke fitt first to Desier y^t. if yo^r house thinke fitt Some act be past to oblige all the Indians according to the number of their nations, to pay into the Receiver Generall for the Country Such Number of Wolfes tigers or beare skinns as by yo^r house or the Councill shall be Appoynted them for y^e Publique Use (in Lew of the Dutys Laid on white P^{er}sons for their P^{ro}tection.; and in case of there non Compliance to be out of the P^{ro}tection of the Government and y^t— Some method be appoynted for the tryall of all causes betweene Indian and Indian or betweene white man and Indian and that Care be taken that noe Rumn or Speritts on any prentence whatsoever be Caried amongst Indians//

Tho Smith//

A Bill for ye Destroying beasts of Prey and for appoynting magistrates for the Execution of Justice in all matters that Relates to Indians Comitted to m^r John Boyd to be prepared against Thursday next in the Morning//

m^r Speaker by Consent of the Memb^{rs} adjourned the House to Eight of the Clock in The Morning//

In the morning y^e: 13th: septemb^r: 1693//

The House mett according to Adjournment//

m^r Speaker adjourned the House by Consent to: 1: of y^e Clock in y^e after noone/

In the Afternoone

The House mett according to adjournm^t=

An Act for the Provideing and keeping in Repaire Sufficient ffences
Read the first time and past wth amendments—

M^r Speaker by Consent Adjourned the House to Eight of
The Clock to morrow Morning//

Septembr y^e: 14th: In the Morning—

The House mett According to Adjournment=

An Act for y^e better ordering of Slaves

Read the first time and past wth amendments

m^r Speaker by Consent of the memb^{rs}= adjourned
the house to: 3 of the Clock in the afternoone/

In y^e after noone

The House mett According to adjournm^t=

A Bill for the Destroying beasts of Prey & for appoynting magistrates for the hereing & Determineing of all Causes and Controversies betweene white man and Indian and betweene Indian and Indian— Read the first time & past wth amendments

Whereas by the Twenty Seventh and Twenty Eight articles of our Instrucons to you Co^{ll} Phillipp Ludwell our Govern^r. of our Province: of Carolina: beareing date the Eight day of Novembr: one Thousand Six hundred: ninety and one we have Given power & authority to the s^d Co^{ll} Phillipp Ludwell by and wth: the advice and Consent of o^r Deputys: Landgraves and Casiques and Deligates of the freemen or major: part of them to make ordaine and Enact Such Laws as should be thought necessary for the better Government of our province but to be Ratified by the s^d: Phillipp Ludwell and three or more of our Deputyes und^r their hands and seales before such acts be published or allowed to be Laws which Laws should Continue in force for Two yeares and no Longer unless w^{thin} that time they were Ratified & Confirmed und^r the hands and Seales of the Pallatine & three or more of the Lords prop^{rs} themselves and by their ord^r Published in the Generall assembly and should Cease to be Laws whenever (before they were so Ratified & Confirmed by the Pallatine & three or more of the Lords p^{rs}: should und^r their hands & seales signifie their Dissent to them which power and authority for passing of Laws as aforesaid we doe hereby repeale and make voyd as to all matters Relateing to Courts of Judicature in Carolina or alteration of the formes of p^{ro}ceedings therein from

what was practised Dureing the Governments of Landgrave James Colleton and Landgrave Joseph Morton or any other Matters Relateing to Judicature Magistrates Judges Sheriffes or other officers or Relateing to Jurys or Election of Representatives for the Generall Assembly or Relateing to the fees taken or Belonging to any officer or officers Constituted or Appoynted by us all which being matters which will admitt of Delay without Exposeing the Safety of the Inhabittants of our Province to any fforraigne Enemy or Attempts of the Indians We will and ordaine that bills Relateing to the Above-mentiond matters, and Consented to by you o^r Governo^r or the Govern^r for the time being and three or more of our Deputys shall be Transmitted to us to be Considred of and not Published or Putt in Execution as Laws untill they be Consented to and Ratified and Confirmed und^r the hands and Seales of the Pallatine and three or more of the Lords \mathfrak{P} p^{rs} and by their ord^r Published as a Law in Carolina but in all other maters y^e said Power for passing & Enacting Laws is to Continue as is appoynted by o^r said Instructions to Co^{ll} Phillipp Ludwell o^r Govern^r of the \mathfrak{P} vince of Carolina beareing Date the Eight Day of Novemb^r one Thousand Six Hundred ninety and one Given und^r o^r hands and Seales this Seaventh of: Aprill: 1693//

To Co^{ll}: Phillipp Ludwell o^r Govern^r: of Carolina and to o^r: Govern^r: for the time being and o^r Deputyes for that part of o^r Province of Carolina y^t Lyes South and west of Cape Feare

Craven Pall— (¶)

A Ashley (¶)

P Colleton (¶)

Joh Archdall (¶)

for Tho Archdall

Thomas Amy (¶)

Recorded in the Secretaries office this 14th
Day of Septemb^r 1693// \mathfrak{P} Jn^o Hamilton—
Dep^{ty} Sec^{ty}//

London this 10th: of Aprill 1693//

We have seen an act past in Carolina Intituled an act to \mathfrak{P} vde Indifferent Jurymen in all causes Civill and Criminall which act Requireing the Sheriffe of each County to divide all y^e \mathfrak{P} sons of Each County into twelves & them write in pap^{rs} & two papers of twelve names each to be Drawne & y^e \mathfrak{P} sons whose names are therein Contained to be Sumon'd to Serve as Jury men y^e next Court after each Draught and then one of the s^d papers Drawne againe & y^e \mathfrak{P} sons whose names are written in y^e paper thus Last drawne to be the Jury for tryall of Causes we Judge to be very unreasonable &

many wayes Dangerous & tending to the Leveing y^e most Enormus Crimes unpunisht Especially Pyracry for it will thereby be in the Power of the Sheriffe so to Divide the Twelves for each paper that there shall be in Every pap^r some notorious favorers of Pyrats who Coming prepared for it may be able to Constraine the Rest of the Jury to Consent to what verdict they please which being Contrary to their Majesties Service and Dangerous to the Peace Perhapps of England it Selfe: and the s^d act being in other things very Dangerous to y^e Inhabittants of our P^rvince & Contrary to the Laws of England as it is Declared in the bill of Rights passed in their present majesties. Reigne we have thought fitt to Dissent to and thereby have made the Same null and voyd and Do: req^r: you not to Suffer the Same to be putt in Execution as a Law in Carolina and that you Doe forthwth upon Rec^t hereof Give notice of o^r Dissent to y^e: s^d act to the Respective Sheriffes of the Countys there & that y^e s^d Laws is thereby vacated and Ceased to be a Law and that they are not to putt y^e: s^d Act in Execution as a Law any Longer/ Wee have allsoe seene an other Act Intituled an Act to Regulate Ellections of memb^{rs} of y^e Generall Assembly which act Enableing all P^rsons that make oath they are worth tenn pounds to Give there vote for Memb^{rs} of the assembly and all the Memb^{rs} of the Assembly for the p^rsent being chosen for the Counties we are of oppinion they ought all to be freehold^{rs} that Ellect and the s^d act not mentioning how Long any Person worth Tenn pounds: must have been an Inhabittant of the County before he be Admitted to vote for memb^{rs} of the Assembly it is soe Loose that by this act all the pyrats that were in the shipp that had been Plundring in the Redd Sea: had been Quallified to vote for Representatives in Carolina which being of Dangerous Consuquence to the Inhabittants Wee have Though fitt to Dissent: to that act allsoe but have Cherefully passed and und^r o^r hands & Seales Ratified & Confirmed the Act Intituled an act for the better observation of the Lords Day Comonly Called Sunday and are well pleased wth all those that Voted for itt and we hope that you will take Great Care the s^d act be strictly putt in Execution/ Wee have allsoe Ratified and Confirmed the Act Intituled an act to prevent Swine Goeing Loose or at Large in or about Charles Towne and to prevent nuisance and shall be allways Ready to Consent to any other act that we are Convinced is for the Good or Conveniency of the Inhabittants of o^r Province/ We have thought fitt to Send you additionall Instructions about passing Laws in Carolina which you are to Observe and wee doe Requier that you Ratifie mo Law that Diminisheth or altreth any of the Powers granted to us in o^r Charter from the Crowne but

when any such bill is past in the Generall assembly and Consented to by yo^rselves you are to Send the Same unto us for our Approbation and Consent before you Ratifie the Same our Intent & Meaneing being that Nothing of that Nature should be putt in Execution as a Law in Carolina untill we o^rselves have Consented to it The f^rench have Complained to us that they are threatned to have their Estates taken from their Children after their Death— because they are (alliens) now many of them have bought the Land they Injoy, of us and if their Estates are forfeited they Escheat to us and God forbid that we should take the Advantage of the forfeiture nor doe we Soe Intend and therefore have Sent o^r Declaracon und^r o^r hands and Seales to that purpose which wee will shall be Registered in the Secretaries and Registers office that it may Remaine upon Record in Carolina and be obligeing to o^r heires Successo^{rs} and Assignes They allsoe Complaine that they are Req^d to begin their Divine Worshipp at the Same time that the English doe, which is Inconvenient to them in Regard that Severall of their Congregation Liveing out of the Towne are forced to Come and Goe by water, And for y^e Conveniency of such they begin their Divine Worshipp Earlyer or Later as the tide serves in which we would have them not molested/ They Complaine allsoe y^t they are told the Marriages made by their ministers is not Lawfull because they are not ordained by some bishopp and their Children that are begotten in Such marriages are bastards: Wee have power by our pattent to Grant Liberty of Consience in Carolina and it is Granted by act of Parliamēt here and ~~Fr~~sons are married here in the Dutch and french Churches by ministers that were never ordained and yett we have not heard that the Children begotten in such marriages are Reputed unlawfull or bastards and this seemes to us oposite to that liberty of Consience their majesties have Consented to here And Wee pursuant to the Power Granted to us have Granted in Carolina/ Wee Desier these things may be Remedied and that their Complaynt of all kinde be heard wth favor and that they have Equall Justice wth English men and Injoy the Same Privilidges: it being for their majesties Service to have as many of them as we can in Carolina, We would have them Receive all maner of Just Incouragement whatsoe^rer And We would have you Send for the Cheife of them and Give them Assureance of itt/ Wee finde that M^r Joshua Hobson Deputy to m^r Grimbball in the Secretaries office did Suffer for the Refuseing to Submitt to the Usurped authority of m^r Sothell wherefore we are Willing that he should be Incouraged and would not have him hindred from pleading in the Co^{rt}s there as well as Assisting him as his Deputy in the

Secretaries office, The which we doe in favor to the said Joshua Hobson as well as to Ease o^r Secretary who being to Send us Constant Coppys of all that passeth in the Councill and parliam^t there for which he hath no fees we would not have his Charge Augmented by forcing him to allow m^r Hobson A Greater Sallery to Incourage him to Continue his Deputy and this we would have Done Unless you Can Give us some very Substantiall Reason to the Contrary We observe in the act about Juries the fines of those Jury men that doe not Appear are appoynted to be paid to the Treasurer and to be disposed of as the Generall Assembly shall Direct Wee Doe not finde one president that the Parliam^t of England have Ever Reserved any money Either out of Taxes or forfeitures to be Disposed of by themselves and by our Grant from the Crowne the Laws of Carolina are to be as nere as may be Agreeable to the Laws of England wherefore we Desier you to be Cautious how you pass any such Laws for the future/ for we shall Consider very well before we pass any Such/ All Public mony in Carolina must be Disposed of by our ord^r or Consent/ And we allsoe Desier that in all acts: or other Publick writings you Give us the same stile, that is Given us by the Crowne in o^r Pattent of true and absolute Lords: w^{ch}: title Gives us no more power then the Pattent it selve doth nor doe we Claime more thereby/ Wee have Thought fitt to Appoynt m^r Thomas Smith to be Sheriffe or Cheife Judge of Berkley County by which Imployment we doe not und^rstand that he is Incapacitated to Serve as a Deputy but may Continue in that station alsoe We Comitt you to the Prohibition of almighty God and Rest//

Yo^r Very affectionate friends

To The Govern^r and our Deputyes }
at Ashley River in Carolina }

Craven Palt—

A Ashley

P Colleton.

Thomas Amy

An Additionall act for Regulateing Publick houses and ascertaineing the prices of Liq^{rs} Read y^e first time & past wth Amendments: The House adjournd to 8 of y^e clock to morrow morning Septemb^r. the 15th: 1693 In The Morning

The House mett According to Adjournm^t:

An Additionall act to an act Intituled an act for Regulateing Publick Houses and to Ascertaine the prises of Liquo^{rs} Read the first time and past wth amendm^{ts}—

m^r Speaker by Consent of The memb^{rs} adjournd
The House to 2 of the Clock in y^e after noone

In the afternoone the house mett according to adjournm^t
ordrd: that m^r Johnathan Amory Receiver doe pay all such Sume or
Sumes of money: as m^r Joseph Ellicott and Cap^t: Charles Basden
shall from time to time ord^r him to pay for the Building a watch
house and Land marke upon Sullivans Island & y^e Necessary
Charges in finishing the same provided the whole doe not Exceed
sixty pounds/ allowed ¶ Thomas Smith—

ordrd That m^r Jonathan Amory Receiver Doe pay unto m^r Tho:
Rose Clerke of this assembly for A Gratuity the Sume of Tenn
pounds Allowed allso ¶ Thomas Smith

Ordrd: that m^r Jonathan Amory Receiver Doe pay unto m^r ffrancis
ffidling messenger of this Assembly for his Service y^e Sume of ffive
pounds// allowed allso ¶ Tho Smith

By Consent of the Memb^{rs} m^r Speaker

Adjourned the house to 8 of the Clock to morrow morn=

In the forenoone the 16th: 1693//

The House mett according to adjournm^t: — — — —

An Act for the better ord^{ing} of slaves

Read the second time and past—

An Act for the Destroying Beasts of Prey and for appoynting
Magistrates for y^e hereing and Determineing of all Causes & Con-
troversies betweene white man and Indian and betweene Indian Read
the second Time and past:

An Additionall Act for Regulateing publick houses and to Ascer-
taine The prices of Liqors Read the secc

An Additionall act for Regulateing Publick Houses and to Asser-
taine the prices of Liq^{rs} Read the Second time and past—

M^r Speaker by Consent Adjourned the house till Tenn
of the Clock Munday y^e 18th: this Instant:

In The Morning the 18th: of Septemb^r: 1693//

The House mett According to Adjournm^t: } And Adjourned
Till Two of y^e Clock in ye after noone/

In The after noone The house mett According to
Adjournm^t — — — —

An Additionall act for Regulateing publick houses and to ascertain
the prices of Liquor^s: Read the Third time and past into a Law/

An Act for y^e Distroying beasts of prey and for appoynting Magis-
trates for y^e heareing and Determineing of all Causes and Contro-

versies betweene White man and Indian and Indian & Indian/ Read the third time and past into a Law//

by Consent m^r Speaker adjourn'd The house till 8 of the Clock to morrow morning/

In the morning the 19th: Septembr: 1693/ The House mett according to Adjournmett: — — — — —

A Bill for the Providing & keeping in Repare sufficient ffences read the second time and pass'd—

M^r. Speaker by consent of the members adjourned y^e house to 2 a Clock in y^e afternoone

19th. september 1693 in the afternoone

The House mett according to adjournment—

ordrd: that Cap^t James Moore m^r Benj Wareing D^r. James Williams m^r Chastaigner and m^r John Ladson or any Three of them be a Comittee to Consider of the agreivances of this ¶vince and p^rsent the Same in Writeing to this house to morrow morning

m^r Speaker by Consent Adjourned

The house to Eight of the Clock to morrow mon

20th. of september 1693 in the Morning .

The house met according to adjournment—

An Act for the better ordering of slaves Read the third time and past into a Law//

by Consent of the house m^r Speaker adjourned the house to 2 of the Clock in y^e afternoone//

In the after noone

The House mett according to Adjournm^t:

The House Adjourned to Eight of the Clock to Morow Morrow Morning

In the Morning the 21th day of Septembr 1693

The House mett according to Adjournment

ordrd. That m^r Speaker p^rsent to the R^t Hono^{bl} the Govern^r and L^{ds}—¶p^{rs} Deputyes the five acts following (vizt)

1 An Act to Prevent the Stealeing and takeing away of Boats and Canoos

2 An Additionall act for Regulateing Publick houses & to Ascertaine The Prises of Liquo^{rs}/

3 An act for the better ordering of Slaves

4 An act for the Destroying beasts of Prey and for Appoynting Magistrates for y^e heareing and Determining of all Causes and Controversies betweene white man and Indian and betweene Indian and Indian

5 An Act to Provide Indifferent Jurymen in all all Causes Civill & and Criminall

fflower of the five foregoeing acts Ratified this 21th: day of September by the R^t Honoble Thomas Smith Govern^r and the Deputys following Paull Grimball Esq^r Did not signe the act for Regulating Publick houses &c

butt signed the others }

Joseph Blake }
Stephen Bull }
William Smith }
Richard Conant
Paull Grimball

Whereas the Lords Deputyes in pursuant to An ord^r of their Lordships did Refuse to Ratifie on Act Entituled a Bill to Provide Indifferent Jury men in All Causes Civill and Criminall before the Same be sent to their Lord shippes and by them Assented to: and Returned which we Conceiveing not According to the Pattent of Carolina and a Great Greivance to the Inhabittants of this Province We hereby Dissent thereto and ord^r the Same to be kept Amongst our Records/ordrd— That the Committee formerly Appoynted by this house for the Drawing up: and Proposeing Rules of Governm^t and formes of Grants of Lands to be Established doe meete the Second monday in march and make Ready the Same for this house for their Next Meeteing

Septemb^r: the 20th: 1693//

May it Pleas yo^r Hono^{rs}==

Wee againe presume to begg yo^r Hono^{rs} to Represent these our Greivances to their Lordships the Want of which we Conceive hath been the Occasion of their Continuance and Increases

1 That the R^t Honoble the L^{ds} pp^{rs} have not all Agreed to the Same forme for Conveyance of Land and the Latest forme forme agreed to by Some of them not Satisfactory to the people

2 That the L^{ds} Receiver of Rents hath not been Comissioned by them all nor any agreement of their whole number Come yett to our Knowledge to Authorize any Less Number to Comission A Receiv^r

3^{dly}= That the Office of sheriffe and Judge of the Court of Pleas are Lodged and Continued in one and the Same Person/

4^{ly} That allthoughe the Power of Erecting Courts be in their Lordships yett those Courts ought to be bounded and Regulated by Laws made by the Assent of the People/

5^{ly} That Publick officers takeing much Greater ffees then are allowed by act of Parliament in England for the Same and Like things before the Same be settled by act of assembly: here/

6th= That the Representatives, or Deligates of the People are to few in Assembly, and that the People doe not Appoynt the number of their Deligates according to the Kings most Gracious Charter — —

7^{thy}= That their Lordships: hold Two pallatines Courts, and that, the one, makes voyd what the other Enacts// as of Late Severall acts of Assembly have been Repealed, by one, which have been Rati-fied by the other, and that before they became Voyd: by Limitation in themselves and that their Lord ships Deputies, are not fully Enough Impowred, to Give their Assent wth the People, to Enact Such Laws and for Such time, as the want of which may hazard the Loss of this their Country: — — — — —

8^{ly}— That the Pallatines Court here doe Assume to putt in force such English Laws as they Judge are addapted to this P^rvince, which wee Conceive are allsoe by their owne force or not to be made soe butt by Act of assembly// — — — — —

9^{ly} That Inferior Co^rts Takeing upon them to try adjudge & Determine the Power of Assemblies, or the Vallidity of acts made by them, or of such matters, and, things as are acted by, or Relateing to the house of Comons all which (Wee Humbly Conceive) is only Inquireable into and Determinable by the next succeeding Generall Assembly

10^{ly}= The Setting up of marshall Law (Except in Case of Rebellion Tumult Sedition or Invasion) Wee Conceive is not Warented by the Kings Charter/

11^{ly} The Takeing of Bonds or Writings obligato^{ry}=, wthout, or not According to Law/ — — — — —

12^{ly} The Want of a Competent number of Commons, to Represent them in Councill — — — — —

13^{thly}= The Refusall of an Act of Indempnity and Confirmation: of Judiciall P^rceedings in the Late Government: and Denyall to Stopp P^rceedings Conserving the same, till their Lordships Pleasure be knowne about the Same, notwthstanding their Lordships Deputyes have thought fitt to Represent the Same/ — — — — —

14^{thly}— That their Lordships: have forbidden their Deputyes to putt in Execution any Laws Relateing to Courts of Judicature or Alterations of the formes of Proceedings therein, or any other mat-

ters Relateing to Judicature, Magistrates, Judges, Sheriffes or other officers or Relateing to Juries, or Ellections of Representatives for the Generall Assembly or Relateing to the fees taken, or belonging to any officer or officers Constituted or Appoynted by them before such time as, their Lordshipps Consent &c/ Thereunto Signified from England, which, at Soonest, we Cannot Expect in Less time then one yeare, Sometimes Two, And before that time, the occasion, and Reason, for which they are made, Cease And the Exactions, and oppressions of Publick officers, may have Left us nothing worth makeing Laws for, And where Laws relateing to such matters: are not made Justice betweene man and man cannot be Expected, And Wee humbly Conceive, That the Pattent of Carolina Doth not Give any such powers to their Lordshipps; nor Intend that y^e People shall soe Long Live und^r— the Grievances and mischeifes of the Want of such necessary Laws, which by all wise People first and before all others are ~~pro~~vided for/

Jonathan Amory Speaker

M^r Speaker by Consent of the Memb^{rs} Adjourned the house to The Second Tuesday in March Next——

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